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Attorneys for Defendant US Bank N.A. (also erroneously sued as U.S. Bank Home Mortgage)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINA VERHOEK, an
individual,

Plaintiff,

vs.

U.S. BANK NATIONAL
ASSOCIATION, a business entity of
unknown form; U.S. BANK HOME
MORTGAGE, a business entity of
unknown form; and DOES 1-50,

Defendants.

Case No. 14-cv-04821-EMC

[Assigned to the Honorable Edward M.
Chen]

**REQUEST AND STIPULATION TO
CONTINUE BRIEFING DATES ON
DEFENDANT US BANK N.A.'S
MOTION TO DISMISS TO
PLAINTIFF'S FIRST AMENDED
COMPLAINT AND TO CONTINUE
THE CASE MANAGEMENT
CONFERENCE**

[filed: September 30, 2014]

PALMER, LOMBARDI & DONOHUE LLP
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1 TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
2 DISTRICT OF CALIFORNIA, ALL PARTIES AND THEIR ATTORNEYS OF
3 RECORD:

4 Defendant US Bank N.A. (also erroneously sued as U.S. Bank Home
5 Mortgage) (“US Bank”), and Plaintiff Christina Verhoek (“Verhoek”) have
6 discussed settlement of this case and believe that they have a proposed settlement,
7 but additional actions need to be completed before the terms can be finalized. For
8 instance, US Bank has discovered that there is a lien placed on the property by the
9 Homeowners’ Association for unpaid fees. This lien will need to be released before
10 the settlement can be finalized. The lien was over \$26,000, which will require
11 further calculations for the proposed settlement and has required further time to
12 determine all of the terms of the proposed settlement. The settlement will also need
13 to be reduced to writing and the Parties will need to review the settlement
14 documents. [Haist Decl. ¶3.]

15 Verhoek filed a First Amended Complaint on March 5, 2015. After obtaining
16 an extension, US Bank filed a motion to dismiss the First Amended Complaint on
17 April 27, 2015. The motion to dismiss hearing is set for July 2, 2015. The Parties
18 believe that extending the time for filing briefs on the motion to be closer to the
19 hearing date and continuing the case management conference will allow them to
20 finalize the settlement before any further motion work or use of the Court’s time due
21 to the likely settlement of the case.

22 With the Court’s permission and order, US Bank and Verhoek hereby
23 stipulate to extend the time for the parties to file further briefing on the April 27,
24 2015 filed motion to dismiss. The parties propose and agree that Verhoek’s
25 opposition shall be due 21 days before the July 2, 2015 hearing date (*i.e.*, June 11,
26 2015), and US Bank’s reply shall be due 14 days before the July 2, 2015 hearing
27 (*i.e.*, June 18, 2015).

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The Court has also set a case management conference for May 7, 2015. The Parties request that the Court also continue that hearing to approximately 30 days after the July 2, 2015 hearing, such as July 30, 2015 at 10:30 a.m. or as the Court otherwise orders.

DATED: April 28, 2015

By /s/ Frederick A. Haist
E. SCOTT PALMER
FREDERICK A. HAIST
PALMER, LOMBARDI & DONOHUE LLP
Attorneys for US Bank N.A.

DATED: April 28, 2015

By /s/ Nathan L. Scheg
NATHAN L. SCHEG
IRONHORSE LAW GROUP, PC
Attorneys for Christina Verhoek

PURSUANT TO STIPULATION, IT IS SO ORDERED. CMC reset for 8/6/15
at 9:30 a.m. A joint cmc
statement shall be filed
by 7/30/15.

DATED: May 4, 2015

United States District Court Judge

